

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

The United States of America,  
ex rel., Andrew M. Garner, III,  
and Andrew M. Garner, III, individually,

Plaintiffs,

v.

Anthem Insurance Companies, Inc., an  
an Indiana corporation; FiServ Solutions, Inc.,  
a Wisconsin corporation; Anthem Prescription  
Management, Inc., an Ohio corporation;  
American Health Network of Indiana, Inc., an  
Indiana corporation; Paragon Health Systems,  
LTD., an Ohio limited liability company; and,  
Wright Health Associates, Inc.; an Ohio  
corporation,

Defendants.

No. 1-00cv-00463  
(Judge S. Arthur Spiegel)

ORDER

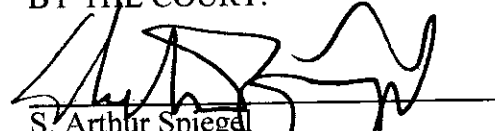
The United States having intervened in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4), and having voluntarily dismissed this action, with the exception of any claims by the Relator for expenses, attorneys' fees and costs under 31 U.S.C. § 3730(d)(1), and with the exception of Count VI of the Complaint, for retaliatory discharge under 31 U.S.C. §3730(h), the Court rules as follows:

IT IS HEREBY ORDERED that this action is dismissed in accordance with the terms of the attached Settlement Agreement, with the exception of any claims by the Relator for expenses, attorneys' fees and costs under 31 U.S.C. § 3730(d)(1), and with the exception of Count VI of the Complaint, for retaliatory discharge under 31 U.S.C. §3730(h). Count I of the Complaint, with respect to AdminaStar Printmail and Anthem

Prescription, is dismissed with prejudice and the remainder of the Complaint, with the exception of any claims by the Relator for expenses, attorneys' fees and costs under 31 U.S.C. § 3730(d)(1), and with the exception of Count VI of the Complaint, for retaliatory discharge under 31 U.S.C. §3730(h), is dismissed without prejudice.

Dated: 1/10/06

BY THE COURT:

  
S. Arthur Spiegel  
United States Senior District Judge